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12/27/01
JL

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MAUREEN L. KRAUSE, : CIVIL NO. 1:00-CV-1922
Plaintiff : (Magistrate Judge Smyser)
v. :
GERALD K. KRAUSE, SR., :
Defendant :
FILED
HARRISBURG, PA
DEC 26 2001
MARY E. DANDREA, CLERK
PER *JL* DEPUTY CLERK

CASE MANAGEMENT ORDER

Pursuant to a case management conference held on December 21, 2001, **IT IS ORDERED** that:

1. **Additional Parties.** Additional parties shall be added on or before **July 31, 2002**.
2. **Amended Pleadings.** The final date for amendments to the pleadings is **July 31, 2002**.
3. **Expert Reports.** The plaintiff shall submit expert reports to defendant on or before **January 15, 2002**. The defendant shall submit expert reports to plaintiff on or before **July 1, 2002**. Any supplements to reports shall be provided to other parties on or before **August 1, 2002**.

4. **Discovery Deadline.** All discovery shall be planned and commenced so as to be completed by **August 1, 2002.**

The maximum number of depositions per side shall be ten (10); the maximum number of interrogatories per side shall be forty (40); the maximum number of document production requests per side shall be forty (40); and the maximum number of requests for admissions per side shall be thirty (30).

5. **Dispositive Motions.** Any dispositive motion shall be filed, as well as the supporting brief, on or before **September 3, 2002.** An appropriate dispositive motion for the resolution of the merits of this dispute should be filed in the near future by one or both parties.¹

6. **Settlement Conference and Pretrial Conference.**

(a) At least ten days prior to the date scheduled for the final pretrial conference, counsel for the parties shall hold the attorneys' conference required by Local Rule 16.3. An attorney who has not entered an appearance as of the

¹Based upon discussion during the case management conference, we think that this case may not involve a disputed question of fact and that it is amenable to an early resolution by the presentation of the parties' positions and arguments concerning the question(s) of law in a motion or in cross-motions for summary judgment.

date of the LR 16.3(b) conference of attorneys, or who does not attend the LR 16.3(b) conference of attorneys, may not serve as trial counsel, unless extraordinary circumstances are shown to warrant an exception.

(b) This conference shall be face-to-face unless the court, upon written request, approves another arrangement. Failure of the plaintiff to initiate the holding of the conference or of the defendant to respond to such initiative in an appropriate manner may result in the imposition of sanctions, including possible dismissal of the action.

(c) Each party shall file a pretrial memorandum in conformity with the Rules of Court, M.D.Pa. Failure to timely file pretrial memoranda will result in an appropriate sanction. Fed.R.Civ.P. 16(f).

(d) A final pretrial conference and settlement conference shall be held on **November 21, 2002 at 10:00 a.m.**, in Chambers, Room 1110, Eleventh Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania. Counsel who will try the case shall attend the pretrial conference unless the court, upon written request, approves the substitution of another attorney who is fully familiar with the case and has the settlement authority required by Local Rule 16.2. A copy of the local rules may be obtained from the Clerk of the Court

by writing: Clerk of Court, Federal Building, P.O. Box 983, Harrisburg, Pennsylvania 17108-0983. At the pretrial conference, counsel for the plaintiff shall be required to set forth the elements of the particular type of claim (or claims) being made. Counsel for the defendant shall be required to identify any legal defenses they expect to make. It should be noted that the court expects to hold counsel for both sides to the claims and defenses they outline here unless good cause is shown for allowing additional legal theories, claims and/or defenses in sufficient time to consider and evaluate them before trial. Settlement will also be discussed at the pretrial conference. A separate settlement conference will be set upon the request of a party.

7. Non-Jury Trial. The non-jury trial shall begin on December 2, 2002, at 9:30 a.m., in Courtroom No. 5, Eleventh Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania.

8. Case Management Track. This case is on the complex track.

In the case management conference on December 21, 2001, the court explored the prospect of a case management order for this case in a different format than this Order. Having considered that further, this traditional format is used. Either party may by motion, however, propose an amendment to this order to better adapt the case management procedure here to the pleading(s) and the issue(s).

The court will, in the absence of extraordinary circumstances, adhere to the schedule hereby established. Continuances of trial and extensions of the discovery period will be granted only when extraordinary circumstances arise and application is timely made.



J. Andrew Snyser
Magistrate Judge

Dated: December 26, 2001.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

December 26, 2001

Re: 1:00-cv-01922 Krause v. Krause

True and correct copies of the attached were mailed by the clerk to the following:

Joseph M. Hill Jr., Esq.
124 South 8th Street
Lebanon, PA 17042

Wendy Dullea Bowie, Esq.
Ira H. Weinstock
800 North Second Street
Harrisburg, PA 17102

cc:			
Judge	<input checked="" type="checkbox"/>	()	Pro Se Law Clerk
Magistrate Judge	<input checked="" type="checkbox"/>	()	INS
U.S. Marshal	<input checked="" type="checkbox"/>	()	Jury Clerk
Probation	<input checked="" type="checkbox"/>	()	
U.S. Attorney	<input checked="" type="checkbox"/>	()	
Atty. for Deft.	<input checked="" type="checkbox"/>	()	
Defendant	<input checked="" type="checkbox"/>	()	
Warden	<input checked="" type="checkbox"/>	()	
Bureau of Prisons	<input checked="" type="checkbox"/>	()	
Ct Reporter	<input checked="" type="checkbox"/>	()	
Ctroom Deputy	<input checked="" type="checkbox"/>	()	
Orig-Security	<input checked="" type="checkbox"/>	()	
Federal Public Defender	<input checked="" type="checkbox"/>	()	
Summons Issued	<input checked="" type="checkbox"/>	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	<input checked="" type="checkbox"/>	()	
Order to Show Cause	<input checked="" type="checkbox"/>	()	with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()
Bankruptcy Court	<input checked="" type="checkbox"/>	()	
Other _____	<input checked="" type="checkbox"/>	()	

MARY E. D'ANDREA, Clerk

DATE: 12-26-01

BY: GTS
Deputy Clerk